

V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT:     EQUITABLE RESOURCES ENERGY COMPANY )  
  )  
RELIEF SOUGHT: POOLING OF INTERESTS IN                 ) VIRGINIA GAS AND  
                    DRILLING UNIT TO BE SERVED         ) OIL BOARD  
                    BY WELL VC-3758 IN THE NORA         )  
                    COALBED GAS FIELD (herein            ) DOCKET NO.  
                    "Subject Drilling Unit")            ) VGOB 98-0421-0662  
                    PURSUANT TO VA. CODE § 45.1-         )  
                    36.122 FOR THE PRODUCTION OF         )  
                    OCCLUDED NATURAL GAS FROM            )  
                    COALBEDS AND ROCK STRATA             )  
                    ASSOCIATED THEREWITH (herein         )  
                    "Coalbed Methane Gas" or "Gas")       )  
  )  
LEGAL DESCRIPTION:   )  
  )  
                    DRILLING UNIT TO BE SERVED BY         )  
                    WELL VC-3758 IN THE NORA             )  
                    COALBED GAS FIELD                    )  
                    NORA QUADRANGLE,                     )  
                    KENADY MAGISTERIAL DISTRICT,          )  
                    DICKENSON COUNTY, VIRGINIA,            )  
                    (the "Subject Lands" are more         )  
                    particularly described in             )  
                    Exhibit A and depicted in             )  
                    Exhibit B attached hereto and         )  
                    made a part hereof)                   )

## REPORT OF THE BOARD

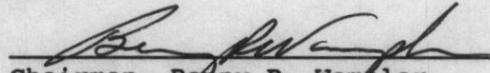
## FINDINGS AND ORDER

1. Hearing Date and Place: This matter came on for hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on April 21, 1998, Dickenson Conference Center, Southwest Virginia Education 4-H Center, Abingdon, Virginia.
2. Appearances: James Kaiser of the firm Wilhoit & Kaiser, appeared for the Applicant; Sandra B. Riggs, Assistant Attorney General, was present to advise the Board.
3. Jurisdiction: Pursuant to Va. Code § 45.1-361.1 *et seq.*, the Board finds that it has jurisdiction over the subject matter.
4. Relief Requested: Equitable Resources Energy Company's application in this matter sought to have the Board: (1) pool the rights, interests and claims of the gas and/or oil owners in Subject Drilling Unit for the drilling and operation, including production thereof, from the pool defined as all Pennsylvanian-aged coals from the top of the Raven, including all splits to


the top of the red and green shales, including, but not limited to: Raven, Jawbone, Upper Horsepen, Middle Horsepen, War Creek, Beckley, Lower Horsepen, Poco #8, Poco #4, Poco #3, Poco #1 and any unnamed coal seams, coalbeds and rock strata associated therewith ("Subject Formations") underlying and comprised of the lands depicted in Exhibit A hereto ("Subject Lands"); and (2) name the Applicant as the Operator of Subject Drilling Unit. At the hearing of this matter on April 21, 1998, Applicant advised the Board that it had reached voluntary lease agreements with all Owners and/or Claimants of the Gas to be produced from Subject Drilling Unit and asked that the Applicant be permitted to withdraw its Application for the compulsory pooling of Subject Drilling Unit.

5. Relief Granted: Based upon Applicant's representation that they have reached voluntary agreements with all GOs Owners and Claimants in interest, the Board finds that the Applicant's Application for the compulsory pooling of Subject Drilling Unit is moot, and therefore, grants Applicant's Motion to Withdraw same without prejudice.

DONE AND EXECUTED this 4<sup>th</sup> day of May, 1998, by the Chairman in behalf of the Virginia Gas and Oil Board.

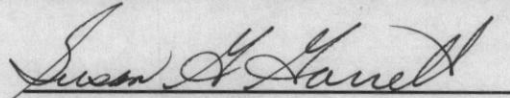
  
Chairman, Benny R. Wampler

DONE AND PERFORMED this 8<sup>th</sup> day of May, 1998, by Order of the Board.

  
Byron Thomas Fulmer  
Principal Executive To The Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA       )  
COUNTY OF WISE        )

Acknowledged on this 4<sup>th</sup> day of May, 1998, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Susan G. Garrett  
Notary Public

My commission expires July 31, 1998



STATE OF VIRGINIA       )  
COUNTY OF WASHINGTON   )

Acknowledged on this 8<sup>th</sup> day of May, 1998, personally before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis  
Diane J. Davis  
Notary Public

My commission expires September 30, 2001